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8 BEFORE THE HEARING EXAMINER FOR THE CITY OF RENTON

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10 RE: Ikea

11 Site Plan and Modifications

12 LUA14-000951
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) FINAL DECISION
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15 **Summary**

16 The applicant requests site plan approval and approval of development standard modifications for the
17 construction of a new 451,000 square foot IKEA retail facility (which includes two future expansions
18 totaling 45,000 square feet). The new IKEA facility will be located on the opposite end of a parcel
19 accommodating a current IKEA store, which will be demolished and replaced with parking. The site
20 plan is approved with conditions and the modifications are approved.

21
22 **Testimony**

23 Rocale Timmons, Senior Planner, stated that the subject site is in the southern portion of the city
24 within the employment area valley comprehensive plan designation. It is between Lind Ave SW and
25 Oakesdale Ave SW. The site is 29 acres and is zoned medium industrial (IM). Currently, there is a
26 397,972sqft facility consisting of the IKEA showroom, retail area, restaurant, parking, and associated
improvements. There is a structured parking area as part of the improvements. The site is
characterized as flat with some minor topo relief to accommodate catch basins. There are currently
172 trees on site. The applicant is requesting site plan review, environmental review, and three
umbrella modification for the construction of a new 451,000sqft IKEA retail facility. The facility
would include expansions totaling 45,000sqft. Staff received one comment letter in regard to the
application. The letter was from the Muckleshoot Indian Tribe Fisheries Division and asked about

1 enhanced water quality. The applicant provided a response to the Tribe's letter addressing all
2 concerns (Exhibit 14). The environmental review committee issued a determination of non-
3 significance mitigated on September 8, 2014 which included two mitigation measures. The measures
4 related to the consistency with the provided geotechnical report and a provision for a biological
5 assessment. The appeal period ended on September 26, 2014, and no appeals were filed. The
6 proposal includes the removal of the western most structure in order to site the proposed retail
7 facility. The eastern most structure would be replaced with a new surface parking lot. The parking
8 lot would have 1,666 parking stalls. There would be a reduction of approximately 87 stalls if the
proposed facility would be expanded. The new composite metal panel structure would be
approximately 48ft in height at its highest point. The eastern façade includes glazing and canopies to
add visual interest. Access to the site would be realigned and consolidated along the different street
frontages. There will be three driveways along both SW 41st and SW 43rd. Additionally, there will
be one driveway along Lind Ave.

9 According to Ms. Timmons, in regard to site plan review analysis, staff has found that the proposal
10 does comply with Renton's Comprehensive Plan development policies. Each of the three umbrella
11 modifications has multiple parts. The parking modification is four parts including a request for
12 increased biking stall distance from the primary building entrance. The applicant is also requesting,
13 as part of the parking modification, for increased vehicle parking stall distance from the entrance and
14 for a reduction in the number of required stalls temporarily during construction. In regard to the
15 request about maximum number of parking stalls, Ms. Timmons submitted a Memo from staff to the
16 Hearing Examiner (Exhibit 15). Staff is recommending approval of the modification to increase the
17 number of parking stalls allowed on the site with a condition of approval; however, the condition
18 listed in the staff report (condition 4) limits the number of stalls to no less than 90 percent capacity or
19 no more than 1,508 stalls given the aesthetic impacts of parking and need for additional landscaping
20 which would affect the interim temporary stalls. Exhibit 15 notes staff's new recommended condition
of approval which says to allow no more than 1,595 stalls. In regard to provision of services, fire and
police have indicated there are sufficient services to support the new facility. There are existing water
and sewer mains which are adequate to support the proposed development. The applicant provided a
TIR that complies with the 2009 King County Surface Water Design Manual. The applicant must
provide a final TIR at the time of building permit approval. Staff is recommending a traffic
improvement plan with fees and site-specific improvements. In conclusion, staff is recommending
approval of the application with eight conditions listed in the staff report.

21 Applicant Testimony

22 Reed Lyons, Real Estate Manager for IKEA, testified that IKEA has been in Renton since 1994 and,
23 on October 20, 2014, will be celebrating 20 years in the city. The new development would provide
24 enhanced customer service.

25 Exhibits

26 The staff report Exhibits 1-13 identified at page 2 of the staff report were admitted into the record

1 during the hearing. The following exhibits were also admitted:

2 Exhibit 14 Applicant (Jay Grubb) Response to Muckleshoot Fisheries Division Comment
3 dated August 12, 2014

4 Exhibit 15 Memo about parking from Rocale Timmons to Hearing Examiner dated October
5 14, 2014

6 FINDINGS OF FACT

7 Procedural:

- 8 1. Applicant. Renton Technical College.
9 2. Hearing. A hearing was held on the application on October 14, 2014.
10 3. Project Description. The applicant requests site plan approval and approval of three development
11 standard modifications for the construction of a new 451,000 square foot IKEA retail facility
12 (which includes two future expansions totaling 45,000 square feet). The new IKEA facility will
13 be located on the opposite end of a parcel accommodating a current IKEA store, which will be
demolished and replaced with parking.

14 The subject property is located on the north side of SW 43rd St between Lind Ave SW and
15 Oakesdale Ave SW at 601 41st St. The project site totals 28.99 acres in area and is zoned Medium
16 Industrial (IM). The site currently contains a 397,972 square foot facility consisting of the IKEA
17 showroom, retail area, restaurant, parking, and associated improvements within two existing
18 structures. The proposal includes the removal of the western most (parking) structure in order to
19 site the proposed retail facility. The eastern most structure (current retail store) would be replaced
20 with a surface parking lot in the amount of 1,666 parking stalls (1,579 stalls following proposed
21 expansions). Access to the site is proposed to be realigned/consolidated into three driveways
22 along SW 41st St, three driveways along SW 43rd St, and one driveway along Lind Ave SW.

23 The proposal involves three requests for street modifications from the street frontage requirements
24 of RMC 4-6-060 for SW 41st St, SW 43rd St, and Lind Ave SW. All three requests involve a
25 reduction in required street dedication as follows: (1) Reduce a required 7.0 foot dedication for
26 SW 41st street to 5.5 feet, (2) reduce a required 3.5 foot dedication to 0 for SW 43rd St, and (3) a
reduction from 11.5 feet to 5.5 feet for Lind Ave SW.

23 The applicant also requests a parking modification from RMC 4-4-080 in order to exceed the
24 maximum number of allowed parking spaces by up to 586 spaces, provide less than the number of
25 parking spaces during construction, provide 54 less than the 108 required bicycle parking stalls,
26 and to allow bicycle parking no more than 75 feet beyond the allowed 50-foot maximum distance
from the primary building entrance.

1 The applicant also requests a refuse and recycling modification from RMC 4-6-060 in order to
2 reduce the required refuse and recycling deposit area from 6,660 square feet to a 500 square foot
3 deposit area.

- 4 4. Adequacy of Infrastructure/Public Services. The project will be served by adequate/appropriate
5 infrastructure and public services, as would be expected since the proposal only involves the
6 replacement of a an existing IKEA store with a facility that is moderately larger. The adequacy of
7 infrastructure and services is more specifically addressed as follows:

8 A. Water and Sewer Service. Sewer and water are provided by the City of Renton. Water
9 and sewer lines already serve the project site.

10 B. Fire and Police. The City of Renton will provide fire and police service. Fire and police
11 department staff have determined that existing facilities are adequate to serve the
12 development.

13 C. Drainage. The applicant has submitted a preliminary drainage report, Ex. 8, that staff has
14 found to be acceptable for site plan review. There are three natural discharge points on the
15 site that will be treated by three separate facilities – a wetpond, a wetvault and a Filterra
16 unit. Filterra units require a Drainage Adjustment in order to be used. Therefore, staff
17 recommends and a condition is adopted by this decision that requires the applicant to
18 demonstrate compliance with the Blanket Adjustment-Americast Filterra Memo, dated
19 June 26, 2014 (Exhibit 10), prior to utility construction permit in order to provide water
20 quality treatment using the proposed Filterra unit.

21 Given that the proposal will decrease impervious surface from 26.97acres to 25.09 acres,
22 the fact that it will not alter the three natural discharge locations and the staff's approval of
23 the preliminary drainage plan, it is determined that the proposed preliminary stormwater
24 controls are adequate to serve the proposal.

25 D. Parks/Open Space. City development standards do not impose any park or open space
26 requirements for commercial uses and no legal justification is found in the administrative
record. Proposed and conditioned landscaping would provide passive recreation
opportunities for IKEA customers.

E. Off-Site Transportation. No significant off-site transportation impacts are anticipated and
no off-site mitigation beyond traffic impact fees is necessary. The completed project is
anticipated to generate 1,061 net new weekday daily trips, 30 net new weekday AM peak

hour trips, 51 net new weekday PM peak hour trips, and 187 net new Saturday peak hour trips. The results of an LOS analysis prepared by the applicant showed that all signalized study intersections would operate at acceptable levels (LOS D or better) in 2016 with or without the proposed project. The applicant's proportionate share impacts to transportation system-wide improvements will be mitigated by the payment of traffic impact fees. The applicant's traffic impact study calculated a project specific fee, approved by staff, that is imposed by the conditions of approval of this decision.

G. Parking (vehicular and bicycle). The proposal includes the removal of the western most (parking) structure in order to site the proposed retail facility. The existing site currently provides 1,352 parking stalls, of which 862 are covered within the parking garage area and the remaining 490 stalls are located within surface parking areas surrounding the two existing structures. The applicant is proposing a total of 1,666 parking stalls (of which 28 would be ADA stalls). As noted in the staff report, with approval of the applicant's requested parking modifications, the amount of parking proposed by the applicant complies with City parking standards. All parking on site will be 9 feet wide and 20 feet deep in compliance with City Code standards. For these reasons the proposed parking is found to be adequate.

H. Vehicular Access and Internal Circulation. The parking lot is designed for two-way circulation throughout. While a reduction in the number of parking stalls appears to have been considered as part of future expansion the expansion along the southern façade would encroach into a drive aisle. The proposed rearrangement of site improvements to accommodate the drive aisle is unclear at this time. The use of landscaping is an integral component of the proposal's reduction of visual impacts on the pedestrian environment and abutting/adjacent properties (see Landscaping discussion). Therefore, the rearrangement of site improvements to accommodate proposed expansions shall not result in a reduction in the 20-foot and 15.5 foot landscaping perimeter along SW 43rd St and SW 41st St respectively. Staff recommends, and this decision adopts, a condition requiring the applicant to submit a revised site plan depicting the rearrangement of the site improvements which comply with RMC 4-4-080 for parking stall and drive aisle dimensions along with the retention of a 20-foot and 15.5 foot landscaping perimeter along SW 43rd St and SW 41st St respectively. The revised site plan shall be submitted to, and approved by, the Current Planning Project Manager prior to construction permit approval.

There are five existing driveways along SW 41st St which would be consolidated into three driveways evenly spaced between Lind Ave SW and the western property line. The

1 western most driveway, along SW 41st St, would be full access and shared with the
2 property to the west. The eastern most driveway, along SW 41st St, would also be full
3 access and the central driveway would be exit only. The elimination of curb cuts along the
4 street frontages would reduce conflict points between pedestrians and vehicles.

5 As condition, the proposed access and internal circulation is found to be adequate,
6 efficient and safe.

7 I. Landscaping. The applicant's preliminary landscaping plan has been found to comply
8 with City standards by staff and in fact significantly exceeds those standards. For this
9 reason the proposed landscaping is found to be adequate. Based on the proposal of 1,666
10 surface parking stalls (1,579 stalls after future expansion), a minimum of 58,310 square
11 feet of landscaping would be required within the surface parking areas (55,265 square feet
12 would be required after future expansions). The submitted landscape analysis indicates
13 that a total of 125,000 square feet of landscaping would be provided on site. The project
14 would also provide approximately 58,500 square feet of surface drainage facilities (pond
15 and rain gardens). At least a 10-foot landscape buffer is provided along all street
16 frontages, and total interior parking lot landscaping exceeds City standards by
17 approximately 38,500 square feet. City staff have also recommended landscaping buffers
18 that exceed City standards to protect less intense neighboring uses, and those
19 recommendations have been adopted by this decision.

20 J. Refuse and Recycle Enclosure. The proposal would require a 2,200 square foot deposit
21 area for recyclables ($2,200 \text{ SF} = 5 \times 440,000/1,000 \text{ SF}$) and a 4,400 square foot deposit
22 area for refuse ($4,400 = 10 \times [440,000/1,000 \text{ SF}]$). The applicant has requested a
23 modification from the City's Refuse and Recyclable standards in order to reduce the size
24 of the required refuse deposit area. The applicant is proposing a 500 square foot area for
25 refuse and recycle deposits. This decision approves that modification. As the proposal
26 otherwise satisfies City standards for refuse and recycling it is determined that the
proposal provides for adequate refuse and recycling.

27 K. Recreation. There is no code requirement or other legal justification to require any
28 recreational space for the project. The significant amount of landscaping of the proposal
29 provides for passive recreation.

30 L. Transit and Bicycles. Transit and bicycle facilities are adequate to serve the site. Transit
31 service to and from the site is provided by King County Metro Transit. Public transit stops
32 are located on SW 43rd St and Lind Ave SW providing access to Metro Transit routes to

153, 161, and 906. The proposal would not alter existing transit service. A modification is approved by this decision to enable compliance with bicycle stall standards.

5. Adverse Impacts. There are no significant adverse impacts associated with the project. Few adverse impacts are anticipated since the proposal only serves to replace an existing IKEA store with a moderately larger one and decrease impervious surface at the same time. Adequate infrastructure serves the site as determined in Finding of Fact No. 4. Impacts are more specifically addressed as follows:

A. Compatibility. The proposal is surrounded by office and warehouse uses. Only 23% of the project site will be covered with structures and the remaining portions of the property accommodate a large amount of landscaping that significantly exceeds City standards. A condition of approval also requires expanded perimeter landscaping to further protect adjoining uses. The applicant has achieved compatibility with the surrounding uses through a combination of the extensive landscaping and substantial setbacks.

B. Lighting. The applicant did not provide an on-site lighting plan. A condition of approval will require the applicant to provide a lighting plan that adequately provides for public safety without casting excessive glare on adjacent properties at the time of building permit review. Proposed perimeter landscaping with berming is anticipated to minimize glare from headlights on adjacent streets and properties. A detailed lighting plan was not provided with the application.

B. Screening. Landscaping has been incorporated into the site plan in order to screen parking areas. Staff have also found that the refuse and recycling area provides for adequate screening. The applicant has not provided sufficient information for staff to determine if rooftop equipment will be adequately screened. The conditions of approval require the applicant to provide plan sets showing any rooftop equipment or structures that may require screening per City code, and such equipment shall be submitted to the Current Planning Project Manager, for review and approval prior to Construction Permit issuance.

C. Privacy and Noise. Existing noise within the vicinity of the subject site is primarily composed of vehicles on adjacent streets (SW 41st St and, SW 43rd St, and Lind Ave SW). Temporary construction noise is anticipated as a result of the subject project. Based on the provided construction mitigation description the applicant has indicated that construction is anticipated to begin in Summer of 2015 and complete in early 2017. At this time, the applicant has indicated that construction work would occur during typical construction hours. Furthermore, the site is surrounded by industrial activity and/or commercial development. Therefore, the temporary noise impacts are anticipated to be minimal and limited in duration.

1 The extensive landscaping proposed by the applicant provides for an adequate amount
2 of buffering and privacy to adjoining uses.

3 C. Natural Systems Features. There are no natural systems or features on the site, as would be
4 expected by the fact that it is currently fully developed with no critical areas.

5 D. Loading Areas. All loading areas are compliance with City code and found to be adequate.
6 Ten dock-high loading doors are proposed along the west elevation. Two additional dock
7 high loading doors are proposed along the southern façade. The site is completely
8 surrounding by industrial and commercial zoned property and therefore is not abutting or
9 adjacent to residential zoned property. Additionally, pursuant to RMC 4-4-080J.4
10 buildings which utilize dock-high loading doors are required to provide a minimum 100
11 feet of clear maneuvering area in front of each door. All proposed dock-high loading doors
12 would have a minimum maneuvering area of 100 feet.

13 E. Critical Areas. There are no critical areas on-site except for a portion of the Green
14 River floodplain. As conditioned and proposed, the proposal complies with applicable
15 City standards and therefore adequately addresses all impacts to the floodplain.

16 As indicated by the FEMA Map included within the Drainage Report (Exhibit 8), the
17 proposed site does not lie within a floodplain or floodway. However, the actual
18 surveyed conditions reveal portions of the perimeter of the site are below the 100-year
19 base flood elevation of the Green River. Compensatory storage would be used to
20 mitigate proposed fill within the flood plain (elevation 21.5) equaling, at a minimum,
21 the volume of fill within the flood plain (Exhibit 6).

22 The applicant is proposing to fill within an existing floodplain, therefore compensatory
23 storage would be provided to mitigate proposed fill within the floodplain. There
24 would be approximately 13,970 cubic yards of fill within the floodplain (below
25 elevation 21.5). The applicant is proposing to provide approximately 16,900 cubic
26 yards of compensatory storage on-site.

Additionally, new construction of any commercial, industrial or other nonresidential
structure shall have the lowest floor, including basement, elevated a minimum of one
foot (1') above the level of the base flood elevation. A condition of approval requires
the applicant to obtain and record the actual elevation (in relation to mean sea level) of
the lowest floor for the new structure. A flood elevation certificate shall be submitted
by the applicant to the Current Planning Project Manager prior to the building's
finished floor construction.

Pursuant to RMC 4-8-120 all properties located within a floodplain are required to
provide a biological assessment. The purpose of this assessment is to determine
whether a proposed action is likely to: (1) adversely affect listed species or designated
critical habitat; (2) jeopardize the continued existence of species that are proposed for
listing, or unexpected, new or rare species; or (3) adversely modify proposed critical
habitat. The proposal does not involve any in-water work and would not likely not in

1 cause downstream impacts on listed species and their habitat. However, the
2 assessment is needed to verify that project construction would implement best
3 management practices to reduce potential turbidity from entering the existing storm
4 system and will therefore have no impacts on wildlife. The Environmental Review
Committee issued a Mitigation Measure requiring the applicant to submit a Biological

5 E. Views. No views are disrupted by the proposal, including any territorial, Mt.
6 Rainier or shoreline views.

7 F. Public Access. The proposal does not interfere with any public access to the
8 shoreline. No shorelines are in the vicinity of the proposal.

9 **Conclusions of Law**

10 1. Authority. RMC 4-9-200(B)(2) requires site plan review for all development in EAV
11 comprehensive plan designation, which applies to the subject parcel. RMC 4-8-080(G) classifies
12 hearing examiner site plan review as Type III permits and modifications as Type I permits. The site
13 plan and modification requests of this proposal have been consolidated. RMC 4-8-080(C)(2) requires
14 consolidated permits to each be processed under “the highest-number procedure”. The site plan has
15 the highest numbered review procedures, so the site plan and modification requests must be processed
16 as Type III applications. As Type III applications, RMC 4-8-080(G) grants the Examiner with the
authority to hold a hearing and issue a final decision on them, subject to closed record appeal to the
City Council.

17 2. Zoning/Comprehensive Plan Designations. The subject property is zoned Medium Industrial
18 (IM) and its comprehensive plan designation is Employment Area Valley (EAV).

19 3. Review Criteria. Site plan review standards are governed by RMC 4-9-200(E)(3).
20 Modification criteria are governed by RMC 4-9-250(D). Applicable criteria are quoted below in
italics and applied through corresponding conclusions of law.

21 **Site Plan**

22 **RMC 4-9-200(E)(3): Criteria:** *The Administrator or designee must find a proposed project to be in*
23 *compliance with the following:*

24 *a. Compliance and Consistency: Conformance with plans, policies, regulations and approvals,*
25 *including:*

i. Comprehensive Plan: The Comprehensive Plan, its elements, goals, objectives, and policies, especially those of the applicable land use designation; the Community Design Element; and any applicable adopted Neighborhood Plan;

ii. Applicable land use regulations;

iii. Relevant Planned Action Ordinance and Development Agreements; and

iv. Design Regulations: Intent and guidelines of the design regulations located in RMC 4-3-100.

4. The proposal is consistent with applicable comprehensive plan policies and zoning regulations as outlined in Finding 21(a)-(b) of the staff report, which is adopted by this reference as if set forth in full, including the findings and conclusions. The design guidelines of RMC 4-3-100 do not apply to projects proposed for the IL zone. See RMC 4-3-100(B)(1)(b).

RMC 4-9-200(E)(3)(b): Off-Site Impacts: *Mitigation of impacts to surrounding properties and uses, including:*

i. Structures: Restricting overscale structures and overconcentration of development on a particular portion of the site;

ii. Circulation: Providing desirable transitions and linkages between uses, streets, walkways and adjacent properties;

iii. Loading and Storage Areas: Locating, designing and screening storage areas, utilities, rooftop equipment, loading areas, and refuse and recyclables to minimize views from surrounding properties;

iv. Views: Recognizing the public benefit and desirability of maintaining visual accessibility to attractive natural features;

v. Landscaping: Using landscaping to provide transitions between development and surrounding properties to reduce noise and glare, maintain privacy, and generally enhance the appearance of the project; and

vi. Lighting: Designing and/or placing exterior lighting and glazing in order to avoid excessive brightness or glare to adjacent properties and streets.

5. As determined in Finding of Fact No. 4 and 5, the proposal will not create any significant off-site impacts, including the impacts specifically addressed in the criteria above.

RMC 4-9-200(E)(3)(c): On-Site Impacts: *Mitigation of impacts to the site, including:*

1 **i. Structure Placement:** Provisions for privacy and noise reduction by building placement,
2 spacing and orientation;

3 **ii. Structure Scale:** Consideration of the scale of proposed structures in relation to natural
4 characteristics, views and vistas, site amenities, sunlight, prevailing winds, and pedestrian
5 and vehicle needs;

6 **iii. Natural Features:** Protection of the natural landscape by retaining existing vegetation
7 and soils, using topography to reduce undue cutting and filling, and limiting impervious
8 surfaces; and

9 **iv. Landscaping:** Use of landscaping to soften the appearance of parking areas, to provide
10 shade and privacy where needed, to define and enhance open spaces, and generally to
11 enhance the appearance of the project. Landscaping also includes the design and
12 protection of planting areas so that they are less susceptible to damage from vehicles or
13 pedestrian movements.

14 6. As determined in Finding of Fact No. 4 and 5, the proposal will not create any significant on-
15 site impacts, including those specifically addressed in the criteria above.

16 **RMC 4-9-200(E)(3)(d): Access and Circulation:** Safe and efficient access and circulation for
17 all users, including:

18 **i. Location and Consolidation:** Providing access points on side streets or frontage streets
19 rather than directly onto arterial streets and consolidation of ingress and egress points on
20 the site and, when feasible, with adjacent properties;

21 **ii. Internal Circulation:** Promoting safety and efficiency of the internal circulation system,
22 including the location, design and dimensions of vehicular and pedestrian access points,
23 drives, parking, turnarounds, walkways, bikeways, and emergency access ways;

24 **iii. Loading and Delivery:** Separating loading and delivery areas from parking and
25 pedestrian areas;

26 **iv. Transit and Bicycles:** Providing transit, carpools and bicycle facilities and access; and

v. Pedestrians: Providing safe and attractive pedestrian connections between parking
areas, buildings, public sidewalks and adjacent properties.

7. As determined in Finding of Fact No. 4, the proposal provides for adequate access and
circulation as required by the criterion above.

1 **RMC 4-9-200(E)(3)(e): *Open Space:*** *Incorporating open spaces to serve as distinctive project*
2 *focal points and to provide adequate areas for passive and active recreation by the occupants/users*
3 *of the site.*

4 8. The proposal provides for adequate open space as required by the criterion above as
determined in Finding of Fact No. 4.

5 **RMC 4-9-200(E)(3)(f): *Views and Public Access:*** *When possible, providing view corridors to*
6 *shorelines and Mt. Rainier, and incorporating public access to shorelines.*

7 9. As determined in Finding of Fact No. 5, no view corridors to shorelines or Mt. Rainier are
8 adversely affected. No shorelines are in the vicinity for purposes of requiring public access.

9 **RMC 4-9-200(E)(3)(g): *Natural Systems:*** *Arranging project elements to protect existing natural*
10 *systems where applicable.*

11 10. Natural systems will not be adversely affected by the proposal as determined in Finding of
Fact No. 5.

12 **RMC 4-9-200(E)(3)(h): *Services and Infrastructure:*** *Making available public services and*
13 *facilities to accommodate the proposed use.*

14 11. The project is served by adequate services and facilities as determined in Finding of Fact No.
15 4.

16 **RMC 4-9-200(E)(3)(i): *Phasing:*** *Including a detailed sequencing plan with development phases*
17 *and estimated time frames, for phased projects.*

18 12. The project is not phased.

19 **Modifications**


20 **RMC 4-9-250(D)(2):** *Whenever there are practical difficulties involved in carrying out the*
21 *provisions of this Title, the Department Administrator may grant modifications for individual cases*
22 *provided he/she shall first find that a specific reason makes the strict letter of this Code*
23 *impractical, that the intent and purpose of the governing land use designation of the*
Comprehensive Plan is met and that the modification is in conformity with the intent and purpose
of this Code, and that such modification:

24 *a. Substantially implements the policy direction of the policies and objectives of the*
25 *Comprehensive Plan Land Use Element and the Community Design Element and the*
26 *proposed modification is the minimum adjustment necessary to implement these policies and*
objectives;

- 1 4. The applicant shall revise the site plan to reflect a parking area which operates at no less
2 than 90% of capacity, or no more than 1,508 parking stalls. The revised site plan shall be
3 submitted to, and approved, by the Current Planning Project Manager prior to
construction permit approval.
- 4 5. The applicant shall be required to provide a detailed interim parking plan along with
5 executed off-site parking agreements prior to construction permit or demolition permit
6 approval whichever comes first. The detailed interim parking plan shall demonstrate, to
7 the satisfaction of the Current Planning Project Manager that a sufficient number of
8 parking stalls are provided on and/or off site as to not cause adverse impacts on
9 surrounding properties during construction.
- 10 6. The applicant shall be required to submit a revised site plan depicting the rearrangement
11 of the site improvements which comply with RMC 4-4-080 for parking stall and drive
12 aisle dimensions along with the retention of a 20-foot and 15.5 foot landscaping perimeter
13 along SW 43rd St and SW 41st St respectively. The revised site plan shall be submitted to,
14 and approved by, the Current Planning Project Manager prior to construction permit
15 approval.
- 16 7. The applicant shall be required to submit screening detail for the refuse and recyclable
17 deposit area prior to building permit approval.
- 18 8. The applicant shall be required to obtain and record the actual elevation (in relation to
19 mean sea level) of the lowest floor for the new structure. A flood elevation certificate
20 shall be submitted by the applicant to the Current Planning Project Manager prior to the
21 building's finished floor construction. The finished floor elevation would be required to
22 be verified by a preconstruction elevation certificate at the time of construction of a
23 substantial structural element of the finished floor (i.e., foundation form for the concrete
24 floor). An as-built elevation certificate would be required to be provided prior to
25 issuance of final occupancy.
- 26 9. The applicant shall be required to provide a lighting plan, compliant with RMC 4-4-075,
which will adequately provide for public safety without casting excessive glare on
adjacent properties at the time of building permit. The lighting plan shall be submitted to
and approved by the Current Planning Project Manager prior to construction permit
approval
10. The applicant shall submit a lighting plan which includes ornamental lighting within the
vicinity of the primary entrance and bicycle parking in order to adequately illuminate the
area for pedestrians and bicyclists. The lighting plan shall be submitted to and approved
by the Current Planning Project Manager prior to construction permit approval.
11. The applicant shall provide iron-rod fencing in place of chain link fencing around the
perimeter of the proposed detention pond. A fencing detail plan shall be submitted to,
and approved by, the Current Planning Project Manager prior to utility construction
permit approval.

- 1 12. The applicant shall be required to provide an additional pedestrian connection directly
2 from the proposed entrance to the SW 43rd St sidewalk. Additionally, all designated
3 pedestrian area shall be differentiated, in material, from drive aisles. A revised site plan
4 shall be submitted to and approved by the Current Planning Project Manager prior to
5 construction permit approval.
- 6 13. The applicant shall be required to demonstrate compliance with the Blanket Adjustment-
7 Americast Filterra Memo, dated June 26, 2014 (Exhibit 10), prior to utility construction
8 permit in order to provide water quality treatment using the proposed Filterra unit.
- 9 14. The applicant shall be required to provide a 5.5 foot wide dedication (subject to a survey)
10 along SW 41st St for the allowance of existing improvements to remain as they are. The
11 applicant shall be required to provide street lighting on all street frontages according the
12 current street standards and all existing trees within the planter strip shall be maintained
13 to the maximum extent possible.
- 14 15. The applicant shall be required to provide improvements back of existing SW 43rd St curb
15 to include: 8-foot wide landscape planter, 8-foot wide sidewalk, and 1 foot back of
16 sidewalk (subject to survey). The applicant shall be required to provide street lighting on
17 all street frontages according the current street standards and all existing trees within the
18 planter strip shall be maintained to the maximum extent possible.
- 19 16. The applicant shall be required to provide a 5.5 foot wide dedication (subject to a survey)
20 along Lind Ave SW for sufficient enough width to accommodate the code required
21 improvements back of existing curb to include: 8-foot wide landscape planter, 8-foot
22 wide sidewalk, and 1 foot back of sidewalk (subject to survey). The applicant shall be
23 required to provide street lighting on all street frontages according the current street
24 standards and all existing trees within the planter strip shall be maintained to the
25 maximum extent possible.
- 26 17. The applicant shall be required to provide a Traffic Impact Fee at a rate of \$1.30 per
square foot of new development to be applied to the difference in square footage between
the future building and the existing 397,972 square foot building. The fee shall be paid
at the time of building permit issuance and is valid through to the expiration of the Site
Plan Approval.
18. The applicant shall be required to submit a Final Construction Mitigation Plan with
measures to reduce noise, control dust, traffic controls, and reductions in pedestrian
conflicts. The Final Construction Mitigation Plan shall be submitted to, and approved by
the Plan Reviewer, prior to demolition permit or construction permit approval whichever
comes first.

DATED this 28th day of October, 2014.


Phil A. Olbrechts

City of Renton Hearing Examiner

Appeal Right and Valuation Notices

RMC 4-8-080 provides that the final decision of the hearing examiner is subject to appeal to the Renton City Council. RMC 4-8-110(E)(14) requires appeals of the hearing examiner's decision to be filed within fourteen (14) calendar days from the date of the hearing examiner's decision. A request for reconsideration to the hearing examiner may also be filed within this 14 day appeal period as identified in RMC 4-8-110(E)(13) and RMC 4-8-100(G)(9). A new fourteen (14) day appeal period shall commence upon the issuance of the reconsideration. Additional information regarding the appeal process may be obtained from the City Clerk's Office, Renton City Hall – 7th floor, (425) 430-6510.

Affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation.